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APPEAL BRIEF

Title: METHOD AND APPARATUS FOR LOAD-BALANCING

APPEAL BRIEF

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I. Introduction

In response to the Final Office Action mailed September 2, 2009, Appellant filed a Notice of Appeal to the Board of Patent Appeals and Interferences, on December 2, 2009. One copy of this Appeal Brief is hereby filed, in accordance with 37 C.F.R. § 41.37(a)(1), and is accompanied by an authorization to charge Appellant's deposit account for the fee in the amount of \$540.00 as required under 37 C.F.R. § 41.20(b)(2).

II. Real Party in Interest

The real party in interest in the above-captioned application is the assignee Hewlett-Packard Development Company, L.P., a Texas Limited Partnership having its principal place of business at 20555 SH 249, Houston, TX 77070, in an assignment recorded on January 19, 2007 at Reel 018839, Frame 0698.

III. Related Appeals and Interferences

There are no other appeals or interferences known to Appellant that will have a bearing on the Board's decision in the present Appeal.

IV. Status of Claims

Claims 1-14 are pending in the application. Claims 1-14 are the subject of this Appeal.

In the Final Office Action mailed September 2, 2009, claims 1 and 7 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 3 and 15 of copending Application No. 10/557,405. Claims 1-4 and 7-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters (U.S. Patent No. 6,473,802) in view of Luther et al. (U.S. Pub No. 2003/0023877) and further in view of Au (U.S. Publication No. 2002/0174034). Claims 11, 5 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters in view of Luther et al. and Au, and further in view of Olson et al. (U.S. Pub No. 2004/0205192). Claims 6 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters in view of Luther et al. and Au, and further in view of Gilleland (U.S. Pub No. 2002/0073203). Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters in view of Luther et al. and Au, and further in view of Olson et al.

No claims have been indicated as being allowable. See Appendix A for claims 1-14 involved in this Appeal.

V. **Status of Amendments**

All amendments to the claims have been entered.

VI. Summary of Claimed Subject Matter

Claim 1 is directed to a method of routing a message, conveyed in stream through a point-to-point connection to a load-balancing element (313), to one of a plurality of available processing systems (314, 316, 318) each connected to the load-balancing element (313) by separate point-to-point connections, the method performed at the load-balancing element (313). Specification, page 3, lines 11-15; page 7, line 23 through page 8, line 32; and Figure 3. The method includes extracting (702) the message from the stream and detecting (704) in the extracted message the presence of a destination identifier identifying one of the available processing systems (314, 316, 318). Specification, page 3, lines 15-17; page 8, lines 22-24; and Figures 3 and 4. The method further includes, where the presence of the destination identifier is detected, forwarding (716) the message to the processing system (314, 316, 318) identified thereby via the appropriate connection, and otherwise detecting in the extracted message a message identifier for identifying related messages. Specification, page 3, lines 17-20; page 10, lines 6-8; and Figure 4. The method further includes searching (708) a database (328) of message identifiers for which no destination identifiers were detected, the database (328) having information indicating to which one of the available processing systems (314, 316, 318) each such message having no destination identifier was forwarded, and determining (710) a destination processing system (314, 316, 318) for processing the message. Specification, page 4, lines 29-34; page 10, lines 8-15; and Figure 4. The method further includes inserting (714) into the message an identifier identifying the determined destination processing system (314, 316, 318), and forwarding (716) the message to the processing system (314, 316, 318) via the appropriate connection. Specification, page 10, lines 10-13; and Figure 4. Claim 14 is directed to a session initiation protocol (SIP) network (100) (Specification, Figure 1) operating in accordance with the method of claim 1.

Claim 7 is directed to a load-balancing element (313) for routing a message conveyed in a stream through a point-to-point connection to one of a plurality of available processing systems (314, 316, 318) each connected to the load-balancing

element (313) by separate point-to-point connections. Specification, page 3, lines 11-15; page 7, line 23 through page 8, line 32; and Figure 3. The load-balancing element (313) includes a message processor (312) for extracting the message from the stream, a message analyzer (312) for detecting in the received message the presence of a destination identifier identifying one of the available processing systems (314, 316, 318) and the presence of a message identifier for identifying related messages. Specification, page 3, lines 15-17; page 8, lines 22-24; and Figures 3 and 4. The load-balancing element (313) further includes a database (328) for storing details of message identifiers for which no destination identifier was detected along with information indicating to which of the available processing systems (314, 316, 318) each such message having no destination identifier was forwarded, and a message forwarder (312) for forwarding the message, via the appropriate connection, to the processing system (314, 316, 318) identified by the destination identifier if the presence of a destination identifier is detected, and to a processing system (314, 316, 318) to which a related message was forwarded if the presence of a destination identifier is not detected and the message identifier is contained in the database (328). Specification, page 3, lines 17-20; page 4, lines 29-34; page 10, lines 6-15; and Figures 3 and 4. Claim 13 is directed to a session initiation protocol (SIP) network (100) (Specification, Figure 1) comprising elements according to claim 7.

VII. Grounds of Rejection to be Reviewed on Appeal

- Whether claims 1-4 and 7-10 were properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters (U.S. Patent No. 6,473,802) in view of Luther et al. (U.S. Pub No. 2003/0023877) and further in view of Au (U.S. Publication No. 2002/0174034).
- Whether claims 11, 5 and 13 were properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters in view of Luther et al. and Au, and further in view of Olson et al. (U.S. Pub No. 2004/0205192).
- Whether claims 6 and 12 were properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters in view of Luther et al. and Au, and further in view of Gilleland (U.S. Pub No. 2002/0073203).
- Whether claim 14 was properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters in view of Luther et al. and Au, and further in view of Olson et al.

VIII. Argument

A. Applicable Authorities

35 U.S.C. § 103

35 U.S.C. § 103(a) provides in relevant part:

Conditions for patentability; non-obvious subject matter.

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

“The ultimate determination ... whether an invention is or is not obvious is a legal conclusion based on underlying factual inquiries including: (1) the scope and content of the prior art; (2) the level of ordinary skill in the prior art; (3) the differences between the claimed invention and the prior art; and (4) objective evidence of nonobviousness.” *In re Dembiczaik*, 175 F.3d 994, 998, 50 USPQ2d 1614, 1616 (Fed. Cir. 1999) (citing *Graham v. John Deere Co.*, 383 U.S. 1, 17-18, 148 USPQ 459, 467 (1966)); see also *KSR International Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1734, 82 USPQ2d 1385, 1391 (2007) (reaffirming that the *Graham* factors continue to control the determination of obviousness).

When applying 35 U.S.C. § 103, the claimed invention must be considered as a whole; the references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination; the references must be viewed

without the benefit of impermissible hindsight vision afforded by the claimed invention and a reasonable expectation of success is the standard with which obviousness is determined. *Hodosh v. Block Drug Co., Inc.*, 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed. Cir. 1986).

To establish a *prima facie* case of obviousness, three basic criteria must be met: (1) There must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; (2) There must be a reasonable expectation of success; (3) The prior art references must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on appellants' disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). *But see, KSR International Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1734, 82 USPQ2d 1385, 1391 (2007) (cautioning against the rigid application of a teaching/suggestion/motivation rule).

If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *See, e.g., In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959) (Claims were directed to an oil seal comprising a bore engaging portion with outwardly biased resilient spring fingers inserted in a resilient sealing member. The primary reference relied upon in a rejection based on a combination of references disclosed an oil seal wherein the bore engaging portion was reinforced by a cylindrical sheet metal casing. Patentee taught the device required rigidity for operation, whereas the claimed invention required resiliency. The court reversed the rejection holding the "suggested combination of references would require a substantial reconstruction and redesign of the elements shown in [the primary reference] as well as a change in the basic principle under which the [primary reference] construction was designed to operate." *Id.*, 270 F.2d at 813, 123 USPQ at 352.).

Allowability of Dependent Claims

If an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

B. Analysis**1. Remarks Regarding Provisional Rejection**

Noting that the appropriateness of a provisional non-statutory double patenting rejection will depend upon the ultimate language of the claims, Appellant contends that it is premature to address a provisional rejection under the judicially created doctrine of obviousness-type double patenting until the claims are indicated as being allowable but for the double patenting rejection. Appellant thus does not seek review of the provisional rejection for purposes of this Appeal.

2. Claim Rejections Under 35 U.S.C. § 103**a) Claims 1-4 and 7-10**

Claims 1-4 and 7-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters (U.S. Patent No. 6,473,802) in view of Luther et al. (U.S. Pub No. 2003/0023877) and further in view of Au (U.S. Publication No. 2002/0174034).

Appellant contends that the rejections of independent claims 1 and 7 are unsupported by the record as discussed below. Dependent claims 2-5 and 8-10 are not separately argued under the provisions of 37 CFR 41.37(c)(1)(vii).

With regard to claims 1 and 7, the FOA admits, “Masters does not teach if the destination identifier is not present in the message, determining a destination processing system and inserting the identification into the message then forwarding the message to the determined processing system, and detecting in the extracted message a message identifier for identifying related messages; searching a database of message identifiers for which no destination identifiers were detected, the database having information indicating to which one of the available processing systems each such message having no destination identifier was forwarded[.]” FOA, page 9, first paragraph. The FOA then asserts, “However, Luther teaches determining a destination processing system for

processing the message ([0035] and FIG. 5B disclose receiving message with no identification of the destination server in the message, and using Hash function determining a destination processing server) inserting into the message an identifier identifying the determined destination processing system([0035] discloses ‘CC Server ID’ value which will be selected using the hash function then associated it with the received message value that is present on the message header) forwarding the message to the processing system via the appropriate connection ([0035] and FIG.5B disclose forwarding the message after selecting the proper server). FOA, page 9, second paragraph (emphasis in original). Appellant contends this is a mischaracterization of the Luther et al. reference.

Luther et al. purports to use the Call ID of each message to define a destination server. *See, e.g.*, Luther et al., paragraphs 0013-0014 (seeking to establish substantially uniform traffic across a plurality of call control servers) and 0056-0058 (computing an index from a Call ID of every message and selecting a server from the indexed row of a table). As such, Appellant contends that every message of Luther et al. includes a destination identifier as the Call ID effectively identifies the destination server through Luther et al.’s hash computation. Accordingly, the assertion of the FOA that “[0035] and FIG. 5B disclose receiving message with no identification of the destination server in the message, and using Hash function determining a destination processing server” is in error.

Furthermore, because Luther et al. purports to use its hash function on the Call ID of its messages to determine a destination server, Appellant contends that any modification of Masters by Luther et al. would necessarily result in Masters being modified such that it no longer would look for its destination identifier as it would be computing the destination server for each message. This would expressly teach away from the elements of Appellant’s claims 1 and 7. In addition, Appellant contends that such a modification of the primary reference of Masters would be impermissible. *See, e.g.*, *In re Ratti*, 270 F.2d 810, 813, 123 USPQ 349, 352 (CCPA 1959) (reversing rejection where “suggested combination of references would require a substantial reconstruction and redesign of the elements shown in [the primary reference] as well as a

change in the basic principle under which the [primary reference] construction was designed to operate.”).

The FOA further asserts, with respect to claims 1 and 7, “Further, another reference Au teaches detecting in the extracted message a message identifier for identifying related messages; searching a database of message identifiers for which no destination identifiers were detected, the database having information indicating to which one of the available processing systems each such message having no destination identifier was forwarded; ([0071] discloses The process begins by receiving a customer request (step 1000). The request is routed to the primary or secondary WCS server using a load distribution mechanism (step 1002) with the process terminating thereafter. This load distribution mechanism may take many forms as described above. In a preferred embodiment, a new user request, indicated by a source IP address and destination port different from one recorded by the load balancer, is routed to the least utilized primary or secondary server; and the load balancer records in a table the routing of the request from that source IP address and destination port (typically port 80) to the selected server. Subsequently, if another request is received from the same source IP address to the same destination port within a ‘stickiness’ interval (e.g. 1 hour stickiness period), the load balancer detects this situation using the entry in the table and routes the client request to the same server that was previously selected for this source IP address and destination port.”

FOA, page 10, first full paragraph (emphasis in original). Appellant contends this is a mischaracterization of the Au reference.

Au purports to route messages having the same source IP address and destination port to the same server. Au, paragraph 0071 (“Subsequently, if another request is received from the same source IP address to the same destination port within a ‘stickiness’ interval (e.g. 1 hour stickiness period), the load balancer detects this situation using the entry in the table and routes the client request to the same server that was previously selected for this source IP address and destination port.”). Appellant contends that the source IP address and destination port cannot be used to identify related messages. In particular, Masters notes that client IP addresses may not be unique and a

given client may be associated with different IP addresses. Masters, column 1, line 66 through column 2, line 17. Similarly, Appellant contends that wholly unrelated messages may originate from a single IP address. As such, Appellant contends that the source IP address and destination port of Au cannot correspond to a message identifier for identifying related messages as recited in Appellant's claims 1 and 7.

In addition, Au cannot supply the element of "searching a database of message identifiers for which no destination identifiers were detected, the database having information indicating to which one of the available processing systems each such message having no destination identifier was forwarded" that is admittedly missing in Masters and not asserted to be provided by Luther et al. Instead, Au searches its database for a source IP address and destination port for each incoming message. *See, e.g.*, Au, paragraph 0071 ("In a preferred embodiment, a new user request, indicated by a source IP address and destination port different from one recorded by the load balancer, is routed to the least utilized primary or secondary server; and the load balancer records in a table the routing of the request from that source IP address and destination port (typically port 80) to the selected server. Subsequently, if another request is received from the same source IP address to the same destination port within a 'stickiness' interval (e.g. 1 hour stickiness period), the load balancer detects this situation using the entry in the table and routes the client request to the same server that was previously selected for this source IP address and destination port."). Because this element admitted in the FOA to be missing in Masters is only performed if a destination identifier is not detected in a message, Appellant contends that the process of Au cannot supply the element to cure the deficiencies of Masters, as that element is recited in claims 1 and 7, where Au searches its database for each message.

Furthermore, because Au purports to either route a message to a least used server if it is a new request, or route the message to server corresponding to the source IP address and destination port if it is not a new request (Au, paragraph 0071), Appellant contends that any modification of Masters by Au would necessarily result in Masters being modified such that it no longer would look for its destination identifier as the process of Au is used on all messages, rather than just those message that do not have a

destination identifier. This would expressly teach away from the elements of Appellant's claims 1 and 7. In addition, Appellant contends that such a modification of the primary reference of Masters would be impermissible. *See, e.g., In re Ratti*, 270 F.2d 810, 813, 123 USPQ 349, 352 (CCPA 1959) (reversing rejection where "suggested combination of references would require a substantial reconstruction and redesign of the elements shown in [the primary reference] as well as a change in the basic principle under which the [primary reference] construction was designed to operate.").

In view of the foregoing, Appellant contends that the rejections of claims 1 and 7 rely on erroneous characterizations of the secondary references of Luther et al. and Au, and would result in impermissible modification of the primary reference of Masters. In addition, Appellant contends that even if combination of references were proper, which Appellant denies, the combination would still fail to teach or render obvious each and every element of Appellant's claims 1 and 7 in the manner recited in those claims, and would instead teach away from the elements of Appellant's claims 1 and 7.

Appellant contends that it has shown independent claims 1 and 7 to be allowable over the cited references. Appellant thus contends that claims 2-4 and 8-10 must also be patentably distinct from the cited references, taken either alone or in combination, as claims 2-4 and 8-10 include all patentable elements of either independent claim 1 or independent claim 7. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) (if an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious). Appellant thus respectfully requests reversal of the rejection of claims 1-4 and 7-10 under 35 U.S.C. § 103(a).

b) Claims 11, 5 and 13

Claims 11, 5 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters in view of Luther et al. and Au, and further in view of Olson et al. (U.S. Pub No. 2004/0205192).

Appellant contends that it has shown independent claims 1 and 7 to be patentably distinct from Masters in view of Luther et al. and Au, whether taken alone or in combination. The additional reference of Olson et al. is not purported to cure the deficiencies of Masters, Luther et al. and Au with respect to claims 1 and 7, and Appellant contends that it cannot do so. As such, Appellant contends that claims 1 and 7 remain patentably distinct over Masters in view of Luther et al. and Au, and further in view of Olson et al., whether taken alone or in combination. Appellant thus contends that claims 11, 5 and 13 must also be patentably distinct from the cited references, taken either alone or in combination, as claims 11, 5 and 13 include all patentable elements of either independent claim 1 or independent claim 7. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) (if an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious). Appellant thus respectfully requests reversal of the rejection of claims 11, 5 and 13 under 35 U.S.C. § 103(a).

c) Claims 6 and 12

Claims 6 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters in view of Luther et al. and Au, and further in view of Gilleland (U.S. Pub No. 2002/0073203).

Appellant contends that it has shown independent claims 1 and 7 to be patentably distinct from Masters in view of Luther et al. and Au, whether taken alone or in combination. The additional reference of Gilleland is not purported to cure the deficiencies of Masters, Luther et al. and Au with respect to claims 1 and 7, and Appellant contends that it cannot do so. As such, Appellant contends that claims 1 and 7 remain patentably distinct over Masters in view of Luther et al. and Au, and further in

view of Gilleland, whether taken alone or in combination. Appellant thus contends that claims 6 and 12 must also be patentably distinct from the cited references, taken either alone or in combination, as claims 6 and 12 include all patentable elements of either independent claim 1 or independent claim 7. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) (if an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious). Appellant thus respectfully requests reversal of the rejection of claims 6 and 12 under 35 U.S.C. § 103(a).

d) Claim 14

Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters in view of Luther et al. and Au, and further in view of Olson et al.

Appellant contends that it has shown independent claim 1 to be patentably distinct from Masters in view of Luther et al. and Au, whether taken alone or in combination.

The additional reference of Olson et al. is not purported to cure the deficiencies of Masters, Luther et al. and Au with respect to claim 1, and Appellant contends that it cannot do so. As such, Appellant contends that claim 1 remains patentably distinct over Masters in view of Luther et al. and Au, and further in view of Olson et al., whether taken alone or in combination. Appellant thus contends that claim 14 must also be patentably distinct from the cited references, taken either alone or in combination, as claim 14 includes all patentable elements of independent claim 1. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) (if an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious). Appellant thus respectfully requests reversal of the rejection of claim 14 under 35 U.S.C. § 103(a).

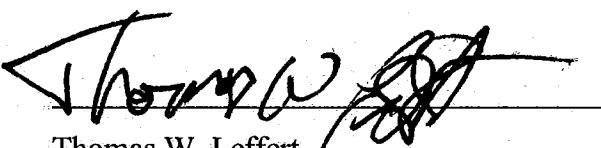
IX. Conclusion

Appellant contends that it has shown the cited references to be deficient and unable to teach or render obvious each and every element of Appellant's claims 1-14.

For at least the reasons discussed above, Appellant submits that the pending claims are patentable on the merits. Accordingly, Appellant requests that the Board of Appeals reverse the Examiner's decisions regarding rejections of claims 1-14 under 35 U.S.C. § 103(a).

Respectfully submitted,

Date:

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APPENDIX A
Claims Appendix

1. A method of routing a message, conveyed in stream through a point-to-point connection to a load-balancing element, to one of a plurality of available processing systems each connected to the load-balancing element by separate point-to-point connections, comprising at the load-balancing element: extracting the message from the stream; detecting in the extracted message the presence of a destination identifier identifying one of the available processing systems; and where the presence of the destination identifier is detected, forwarding the message to the processing system identified thereby via the appropriate connection; otherwise detecting in the extracted message a message identifier for identifying related messages; searching a database of message identifiers for which no destination identifiers were detected, the database having information indicating to which one of the available processing systems each such message having no destination identifier was forwarded; determining a destination processing system for processing the message; inserting into the message an identifier identifying the determined destination processing system; and forwarding the message to the processing system via the appropriate connection.
2. A method according to claim 1, the method further comprising maintaining the database of message identifiers for which no destination identifiers were detected along with the information indicating to which of the available processing systems such messages having no destination identifier were forwarded.
3. A method according to claim 2, wherein determining a destination processing system for processing the message, if the presence of a destination identifier is not detected, comprises determining the destination processing system to be the available processing system to which a related message was sent if the detected message identifier is found in the database, and determining the destination processing system by a load analyzer if the detected message identifier is not found in the database.

4. A method according to claim 1, further comprising removing entries in the database after a predetermined amount of time.
5. A method according to claim 1, wherein the point-to-point connection is a transport control protocol (TCP) connection, and wherein the message is a session initiation protocol (SIP) message.
6. A method according to claim 1, wherein the step of inserting further comprises inserting the destination identifier into an extension header of a SIP message.
7. A load-balancing element for routing a message conveyed in a stream through a point-to-point connection to one of a plurality of available processing systems each connected to the load-balancing element by separate point-to-point connections, comprising at the load-balancing element: a message processor for extracting the message from the stream; a message analyzer for detecting in the received message the presence of a destination identifier identifying one of the available processing systems and the presence of a message identifier for identifying related messages; a database for storing details of message identifiers for which no destination identifier was detected along with information indicating to which of the available processing systems each such message having no destination identifier was forwarded; and a message forwarder for forwarding the message, via the appropriate connection, to the processing system identified by the destination identifier if the presence of a destination identifier is detected, and to a processing system to which a related message was forwarded if the presence of a destination identifier is not detected and the message identifier is contained in the database.
8. A load-balancing element according to claim 7, further comprising, for when the presence of a destination identifier is not detected, a message processor for inserting into the message a destination identifier identifying the processing system to which the message is to be forwarded for processing.

9. A load-balancing element according to claim 8, further comprising, for when the presence of a destination identifier is not detected and the message identifier is not contained in the database, a load analyzer for determining a destination processing system to which the message forwarder should forward the message for processing.
10. A load-balancing element according to claim 7, further comprising, where a message is received without a destination identifier, means for searching the database for a related message identifier and for identifying to which processing system the message should be forwarded.
11. A load-balancing element according to claim 7, adapted for use where each point-to-point connection is a transport control protocol (TCP) connection, and wherein the message is a session initiation protocol (SIP) message.
12. A load-balancing element according to claim 7, wherein the message processor is adapted for inserting the destination identifier into an extension header of a SIP message.
13. A session initiation protocol (SIP) network comprising elements according to claim 7.
14. A session initiation protocol (SIP) network operating in accordance with the method of claim 1.

APPENDIX B
Evidence Appendix

There is no extrinsic evidence to be considered in this Appeal. Therefore, no evidence is presented in this Appendix.

APPENDIX C
Related Proceedings Appendix

There are no related proceedings to be considered in this Appeal. Therefore, no such proceedings are identified in this Appendix.